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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/768,728	01/24/2001	Bassel Beidas	PD-200213	1225
7590	02/25/2005			EXAMINER MURPHY, RHONDA L
Hughes Electronics Corporation Patent Docket Administration Bldg. 1, Mail Stop A109 P.O. Box 956 El Segundo, CA 90245-0956			ART UNIT 2667	PAPER NUMBER

DATE MAILED: 02/25/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/768,728	BEIDAS ET AL.	
	Examiner	Art Unit	
	Rhonda Murphy	2667	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
 THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 29 September 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1,2,6,10-12 and 16-20 is/are pending in the application.
 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
 5) Claim(s) 1,2,6,10-12,16 and 17 is/are allowed.
 6) Claim(s) 18 and 20 is/are rejected.
 7) Claim(s) 19 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. This communication is responsive to the amendment filed on September 29, 2004. Accordingly, claims 3-5, 7-9, 13-15 and 21 have been canceled and claims 1-2, 6, 10-12 and 16-20 are currently pending in this application.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 18 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Fenton et al. (US 5,809,064) in view of Krasner (US 6,633,255) and Sullivan (US 6,169,514).

Regarding claim 18, Fenton teaches a system comprising a sampling circuit adapted to sample the incoming communication signal at a sampling rate and for producing a series of samples at the sampling rate (col. 4, lines 39-42); a lock detector adapted to determine whether the satellite terminal is locked onto the incoming signal based on the output (col. 10, lines 57—67; col. 11, lines 1-4).

Fenton fails to teach the generation of identical phase signals. However, Krasner teaches a local signal generator adapted to generate local phase signals substantially

identical to the series of phase signals in the incoming signal at the sampling rate (col. 2, lines 10-13; col. 9, lines 45-49).

In view of this, having the teachings of Fenton and then given the teachings of Krasner, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to modify the system of Fenton to incorporate the generation of identical local phase signals, in order to subsequently determine whether the incoming signal is on time.

Fenton and Krasner fails to teach a Fast Fourier transform (FFT) circuit receiving a combination signal. However, Sullivan teaches an FFT circuit (Fig. 10; 105) adapted to receive a combination signal representing a combination of the samples and the local phase signals (col. 11, lines 15-20; the combination signal is represented by the output from mixer 102); and a decimator (integrator 103) adapted to decimate the combination signal before the combination signal is received by the FFT circuit (col. 11, lines 18-27).

In view of this, having the system of Fenton and Krasner and then given the teachings of Sullivan, it would have been obvious to one having ordinary skill in the art at the time the invention was made, to modify the system of Fenton and Krasner, by incorporating an FFT circuit and decimator, in order to filter and resample the signal at a lower rate.

Regarding claim 20, It would have been obvious to one having ordinary skill in the art at the time the invention was made, to have digital values for the local phase signals and the series of samples, since digital values are acquired when sampling signals.

Allowable Subject Matter

4. Claim 19 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Response to Arguments

5. Applicant's arguments with respect to claims 18 and 20 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rhonda Murphy whose telephone number is (571) 272-3185. The examiner can normally be reached on Monday - Friday 8:00 - 4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kenneth Vanderpuye can be reached on (571) 272-3078. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should

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you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

rlm



KENNETH VANDERPUYE
PRIMARY EXAMINER